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2174

PTO/SB/21 (09-04)

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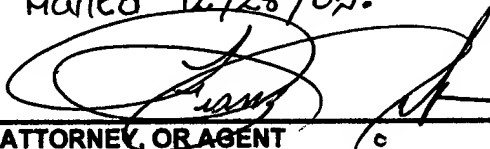
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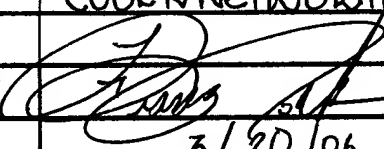
Total Number of Pages in This Submission

Application Number	09 / 877,729
Filing Date	6/8/00 & 6/8/01
First Named Inventor	FRANZ A. Wakefield
Art Unit	2174
Examiner Name	Boris Pegin
Attorney Docket Number	83174

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> <b>Non-Fee &amp; Amendment/Reply</b> <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> This response is made pursuant to a non-final action mailed 12/28/05. 		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	COOLTVNETWORK.COM, INC.		
Signature			
Printed name	FRANZ A. Wakefield		
Date	3/20/06	Reg. No.	PR.0 Se

**CERTIFICATE OF TRANSMISSION/MAILING**

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**In The United States Patent and Trademark Office**

**Appn. Serial Number:** 09/877,729  
**Appn. Filed:** 2001 Jun. 8  
**Prov. Filed:** 2000 Jun. 8  
**Prov. Serial Number:** 60/210,300  
**Applicant:** Franz A. Wakefield  
**Title:** Method And System For Creating, Using And  
Modifying Multifunctional Website Hotspots  
**Examiner/GAU:** Boris Pesin/2174

**Miami, 2006 March 20, 2006**

**C L I C K V I D E O S H O P™**

**Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**Sir:**

**In response to the Office Action Mailed 2005 December 28, and our telephonic  
communications/conferences, please see below.**



<b>Telephonic Communications: Interview Summaries</b>
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**Date of Interview:** 28 December 2005.

**Type:** Telephonic

**Exhibit Shown:** No

**Definite Claims discussed:** 12.

**Identification of prior art discussed:** N/A.

**Agreement with respect to the claims:** N/A.

**Substance of Interview:** Applicant "WAKEFIELD," & The Examiner, Mr. Boris Pesin discussed the December 28, 2005 Non-final Action. I Applicant requested that The Examiner email a copy of the Non-Final Action. A brief discussion ensued regarding the 35 USC § 112 rejection.

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**Date of Interview:** 18 January 2006.

**Type:** Telephonic

**Exhibit Shown:** No

**Definite Claims discussed:** 1 and 12.

**Identification of prior art discussed:** N/A.

**Agreement with respect to the claims:** N/A.

**Substance of Interview:** Applicant "WAKEFIELD," and The Examiner, Boris Pesin discussed 35 USC § 112 rejection. "WAKEFIELD" pointed out that he believed that there was substantial evidence within and which formed the specification and the detailed description of the application; which supports "WAKEFIELD'S" assertion of hot spots residing in and being accessible from an audio digital file. "WAKEFIELD" continued to explain to The Examiner, that a visual representation of the audio digital file can represent products that form part of the particular song in a "trend" representation or display of the song, which would be dissected by a real-time visual representation of the song in chord segments as it progressed over time intervals. A formal interview was set for 1/26/06 at 1:00 PM Eastern Standard.

**Date of Interview:** 25 January 2006.

**Type:** **Telephonic**

**Exhibit Shown:** **No**

**Definite Claims discussed:** 1 - 20.

**Identification of prior art discussed:** N/A.

**Agreement with respect to the claims:** N/A.

**Substance of Interview:** Applicant "WAKEFIELD" and The Examiner, Boris Pesin discussed the 35 USC § 112 rejection. Applicant "WAKEFIELD" extracted sections directly from the patent application and the Affidavit filed on 7 January 2005 which supports and proves the plausibility of an apparatus wherein a said hot spot can reside in and be accessible from an audio digital file. The Examiner agreed with sufficiency of said examples Applicant "WAKEFIELD" presented.

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**Date of Interview:** 31 January 2006.

**Type:** **Telephonic**

**Exhibit Shown:** **No**

**Definite Claims discussed:** 1 - 20.

**Identification of prior art discussed:** N/A.

**Agreement with respect to the claims:** N/A.

**Substance of Interview:** Applicant "WAKEFIELD," The Examiner, Boris Pesin and Senior Examiner Steve Sax, discussed claims 1 – 20. The telephonic communication contained discussion of how "WAKEFIELD'S" invention differs from the prior art. "WAKEFIELD" agreed to amend the claims in order to overcome the prior art and requested that The Examiners assist with said task. Consequently The Examiners assisted "WAKEFIELD" with writing independent claim one.

**APPLICANT RESPONSE : To Detailed Office Action**

This communication is responsive to a Detailed Office Action issued and filed by The Examiner Boris Pesin on 12/28/05. Claims 1 – 20 are pending in this application. Claims 1, 8, and 20 are independent claims. Within this Response Applicant “WAKEFIELD” has AMENDED Claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, and 20. Claims 10 and 19 are ORIGINAL.

Applicant “WAKEFIELD” relies on his 7 January 2005 AFFIDAVIT and its’ EXHIBITS to support ALL claims (See, “Clean Version” Listing Below), and the application: “Method And System For Creating, Using And Modifying Multifunctional Website Hotspots;” including said asserted dates of conception, diligence, and reduction to practice—both actual and constructive.

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**APPLICANT RESPONSE : Claim Objections**

“WAKEFIELD,” States As A Simple Explanation To Said Objection: As Claim 18 is a dependent claim the term “overwriting” as used in Claim 18 is appropriate because it relates directly to giving the user the ability to overwrite the one said parameter as it relates to Claim 16, 17, and 18. The specification discusses “overriding” as it relates to terminating a particular function of the software, which is a set of parameters. It should be understood that modes can be programmed to respond in automatic sequence and that the user can be in more than one mode at a time. Thus, the opportunity to alter sequence functionality is given to the user (i.e. a mode can be changed and replaced, or terminated in a user selected sequence of modes, or the entire sequence of modes---a function; can be terminated.)

For example, the specification states “Time stamps may be placed in the video or audio file or a corresponding routine for monitoring and communicating with the video and hot spot function for activating and deactivating functions based on the progress of the video or audio file in relation to the time stamps. User inputs in the menu bar 93 may override predetermined functions and/or time stamps.” (*emphasis added*)

**APPLICANT RESPONSE : Affidavit Section**

The Examiner states that “after careful review of the Affidavit, [that he] cannot locate any support for the following limitations:

**[Reference 1:]**

‘An apparatus wherein said at least one predetermined parameter comprises the reaching of a predetermined segment of a digital media file.’

**[Reference 2:]**

‘An apparatus comprising a means for overwriting said parameters when a user selects at least one of said plurality of predetermined functions.’ “

- **APPLICANT RESPONSE**

Applicant “WAKEFIELD” provides direct excerpts from his 7 January 2005, AFFIDAVIT and EVIDENCE, which supports and proves plausibility of Reference 1 and Reference 2 itemized above.

**EXCERPTS PROVING-----Reference 1.**

- **Page 5**

“ 2. The schematics involved animation schemes (the pictures moved) depending on the process state.”

- **Page 12**

“**Behavior of Display Objects**---The color, blinking, and intensity of objects in the display can be controlled, based on the value of the process variable. This allows abnormal conditions in the process to be represented by a corresponding change in a graphic display. For example, a blinking red pump might represent an alarm on that piece of equipment.”

- **Pages 17 and 18**

“Maximizing system network control by depicting motion and color change of critical plant equipment, (i.e. animated objects based on field data, such as the animation of rotors in tanks, or seats in reactors changing position; this is and was different from the usual “blink” graphic representation, which only exemplified 1 or 0 data in a visual format) SEE Tab11(APP9 & REC1 pg. 6 :

2 of 26“Box Summary”); SEE TDC3000x Tab(APP5 & REC1 pg. 2: para. 2 and pg. 5: column 2 para. 2) processes (i.e. tanks filling) and equipment parts changing position, through programming The TDC 3000 to depict these more ergonomic and hazard prevention visual effects for operators by processing raw field data & then displaying it through an interactive touch-screen graphical schematic, improved operator efficiency in critical production periods (operators usually work 12 hour shifts).

ALSO

See. APP2 & REC4 page 1, item 2, ¶ 2 See. APP16 & REC4 page 3, page 6,

EXCERPTS PROVING-----Reference 2.
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- Page 8

“ Control Language programs allow the process engineer to define custom-control action in an Application Module (CL/AM), to define sequence programs for a Process Manager (CL/PM), Advanced Process Manager (CL/APM), High Performance Process Manager (CL/HPM), and Multifunction Controller (CL/MC), and to define custom data segments for the Application and Computing Modules.”

- Page 10

---Since Display can have and be a hotspot or target

“Universal Station Specification and Technical Data...

Perhaps the most powerful of all operating displays are the Custom Graphic Displays [], which are designed by the user and, therefore, can be based on concepts and practices that are unique to the user's plant. They can contain graphic, textual, behavioral, and trend information and represent a whole area, a unit, or single point. Graphics can be linked to many of the standard process displays and can themselves have targets that allow cursor selection of other graphics or standard displays. They can be used to make changes in process parameters, they can be used for control, and alarms can be displayed in a variety of ways.... the total number of Graphic Displays that are available to the operator can be virtually unlimited.”

- Page 10 and 11

“Graphic displays can be built so that the operator can monitor and manipulate the process directly from them. Both continuous and discontinuous processes can be managed from graphic displays. Basically, any data point parameter or sequence can be monitored and manipulated from any graphic display. Graphic behaviors such as blinking, color changes, bar graphs, appearance of subpictures, and numeric values can be controlled by parameters of data points. Additionally, process alarms can be acknowledged from graphic displays. The ability to bring another live display into a designated area within an existing graphic display is another convenient feature available for use on graphic displays...”

#### “TDC 3000x System Displays

The system displays show the assignments and status of the modules on the LCN and the process-connected devices on the UCNs and Data Hiways and provide the means to define and change assignments or change the status. The System Status Display [] is called up by pressing the SYST STATS key.”

- Page 13

“Interactive Displays---The touch-target capability of the Universal Station allows the process engineer to create pushbutton keys by drawing them as touch targets on a display. These serve as function keys that call up related displays and allow changes to process variables...”

EXCERPTS PROVING-----Reference 1 and Reference 2.
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- Pages 14 – 16

“3. The proof of concept was written in the Java programming language. The proof of concept conveyed the experience of illuminated “hot spots” by compositing pastel-colored polygons onto a video during playback at a specified time for a specified interval, as shown below:

```
public class HotSpot extends TimerTask
{
    Movie                movie;
    boolean              isActive = false;
    boolean              isVisible = false;
    Rectangle            rect;
    int                  start = 0, duration = 0;
```



```
java.util.Timer      startTimer = new java.util.Timer();
java.util.Timer      endTimer = new java.util.Timer();
TwoDSprite           hotSpot;
Compositor            compositor;
```

**HotSpot( Movie m, Rectangle r, int s, int d, Compositor c ) throws Exception**

```
{
    super();
    movie = m;
    rect = r;
    start = s;
    duration = d;
    compositor = c;
```

```
File img = QTFactory.findAbsolutePath ("box.tif");
```

```
GraphicsImporterDrawer gid = new GraphicsImporterDrawer (new QTFile(img));
```

```
QDRect rect = new QDRect (
    gid.getDescription().getWidth(),
    gid.getDescription().getHeight());
```

```
ImageSpec imageSpec = ImageUtil.makeTransparent (
    gid,
    QDColor.blue,
    new QDGraphics (QDGraphics.kDefaultPixelFormat, rect));
```

```
Matrix matrix3 = new Matrix();
matrix3.setTx(r.x);
matrix3.setTy(r.y);
```

```
hotSpot = new TwoDSprite(
    imageSpec,
    matrix3,
    true,
    8,
    new GraphicsMode (QDConstants.blend, QDColor.cyan));
}
```

```
public void activate()
{
    startTimer.schedule( (TimerTask)this, start, 10 );
}
```

```
public void run()
```

```

{
try

{
    TimeRecord    tr;
float    currentTime = 0;

isActive = true;

if ( !isVisible )
{
    setVisible( true );
}
    tr = movie.getTRTime();

currentTime = ((float)movie.getTime() / (float)tr.getScale()) * 1000;

    if ((float)currentTime >= start + duration )
    {
        isActive = false;
        setVisible( false );

        startTimer.cancel();
    }
}
catch (Exception e)
{
}
}

public void setVisible( boolean setVisible ) throws Exception
{
if ( setVisible )
    compositor.addMember(hotSpot,1);
else
    compositor.removeMember(hotSpot);

isVisible = setVisible;
}
}

```

4. The proof of concept could perform actions based on the user's action. For example, clicking a "hot spot" could launch a web browser with a predefined URL.
5. The proof of concept demonstrated that this functionality could be extended to format the URL or perform another action based on the invocation context (single click, double click, right click, etc.). As a result, the "hot spot" appeared as "multifunctional" to the user.